

Public Accountants and Auditors Bill.

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SCHEDULE.

A
B I L L

TO

Provide for the Registration of Accountants and Auditors A.D. 1912.
in Great Britain and Ireland and for other purposes
connected therewith.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5 1. This Act may be cited as the Public Accountants and Auditors (Registration) Act, 1912. Short title.

2. As soon as reasonably practicable after the passing of this Act there shall be established three boards: one for England and Wales, one for Ireland, and one for Scotland, to be called Establishment of registration boards.
10 respectively the Registration Board of Public Accountants and Auditors of England and Wales, the Registration Board of Public Accountants and Auditors of Ireland, and the Registration Board of Public Accountants and Auditors of Scotland, and in this Act respectively referred to as "the English Board," "the Irish
15 Board," and "the Scotch Board."

3. Each of the Boards shall be a body corporate with perpetual succession and a common seal and with power to sue and be sued and to acquire and hold land for the purpose of this Act without licence in mortmain. Incorporation.

20 4.—(1) The constitution of the English Board shall be as follows:— Constitution of English, Irish, and Scotch Boards.

One member to be appointed by the First Lord of the Treasury;
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One member to be appointed by the President of the Board of Trade;

One member to be appointed by the Chief Registrar of Friendly Societies; and

Members to be elected by the respective members of each of the bodies mentioned in Part A. of the schedule to this Act on the scale by this Act provided.

(2) The constitution of the Irish Board shall be as follows:—

One member to be appointed by the Chief Secretary for Ireland;

One member to be appointed by the President of the Board of Trade;

Members to be elected by members of the body mentioned in Part B. of the schedule to this Act on the scale by this Act provided.

(3) The constitution of the Scottish Board shall be as follows:—

One member to be appointed by the First Lord of the Treasury;

One member to be appointed by the President of the Board of Trade;

One member to be appointed by the Secretary for Scotland; and

Members to be elected by the respective members of each of the bodies mentioned in Part C. of the schedule to this Act on the scale by this Act provided.

Scale for
elected
members.

5. The number of members of the Board to be elected by the respective members of each of the bodies mentioned in the schedule to this Act shall be on the following scale (that is to say):—

If there are not more than five hundred members of such body, one member;

If there are more than five hundred members of such body one member for every five hundred members of such body and an additional member for any number of members of such body exceeding five hundred or a multiple of five hundred.

6.—(1) The term of office of an elected member of the Board shall be three years. A.D. 1912.
Retirement
of members.

(2) On the first day of October nineteen hundred and fifteen and on the first day of October in every subsequent third year all the elected members of the Board shall retire from office, and their places shall be filled by new elections to be held prior to the date of retirement, but a person retiring from office may, if otherwise qualified, be re-elected.

7. On a casual vacancy occurring in the Board by reason of the death, resignation, or disqualification of a member, or otherwise, the vacancy shall be filled— Casual
vacancies.

(a) In the case of an appointed member by a member appointed by the authority by whom the vacated member was appointed;

(b) In the case of an elected member by a member co-opted by the remaining elected member or members representing the body whom the vacated member represented, and if there is no such remaining elected member then by a fresh election by such body, and the person so co-opted or elected shall hold office until the time when the person in whose place he is co-opted or elected would have regularly gone out of office, and shall then go out of office.

8. A person shall be disqualified from being elected a member of the Board if he is not on the register to be compiled and published under the provisions of this Act. Qualification
of elected
members.

9. Subject to the provisions of this Act the Board may regulate their own procedure. Procedure of
the Board.

10. Three members of the Board shall form a quorum. Quorum.

11. Each of the Boards shall compile and publish a register of public accountants and auditors entitled to carry on business in the country for which such Board has been established. Duties of
Boards.

12. Each of the Boards may also do any or all things following by and with the consent of three-fourths of the persons (taken by vote in accordance with regulations to be made by the Board) whose names appear upon the respective registers (that is to say):— Discretion-
ary powers
of registra-
tion board.

(a) Conduct examinations of persons desirous of becoming public accountants and auditors;

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- (b) Make provision for the training and education of students of the profession of accountancy and auditing;
- (c) Grant and issue diplomas, certificates, or degrees to members;
- (d) Grant scholarships; 5
- (e) Establish, aid, or subsidise lectureships for the promotion of efficiency in accountancy and auditing either separately or in association with any other institution; and
- (f) Do all things incidental to any or all of the foregoing 10 powers.

Registrars.

13. For the purpose of carrying out their duties of registration each of the Boards shall appoint a permanent official to be known respectively as the Accountants Registrar for England and Wales, Accountants Registrar for Ireland, and 15 Accountants Registrar for Scotland, whose offices respectively shall be in London, Dublin, and Edinburgh, in this Act respectively referred to as the "English register," the "Irish register," and the "Scottish register."

Persons entitled to be on the register.

14. The following persons shall be entitled to have their 20 names printed and published in the register for the particular country or countries where they may either reside or carry on their profession (that is to say):—

- (1) Any person who shall satisfy the Board at the time of the passing of this Act that he has been engaged 25 for at least six months in the profession of an accountant;
- (2) Any person who at the time of the passing of this Act is a member of one of the bodies mentioned in the schedule to this Act: 30
- (3) Any person who at the time of the passing of this Act, or at any time hereafter, satisfies the Board that he has passed satisfactorily an examination in accountancy and auditing in connection with any of the bodies mentioned in the said societies referred 35 to in schedule to this Act;
- (4) Any person who shall after the passing of this Act, satisfy the Board that he has satisfactorily passed an examination in accountancy and auditing that has been arranged or approved by the Board. 40

15. Notwithstanding anything in this Act the Board may refuse to admit to the register or may remove from the register—

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Power of Board to refuse admission to or to remove from the register.

(1) Any person who has been guilty of professional misconduct, whether he has been criminally punished for the same or not, provided always that any such person shall have the right of appeal to the High Courts in England or Ireland, or the Court of Session in Scotland, as the case may be:

(2) Any person who refuses to pay such fees as may be prescribed by the Board.

16.—(1) *After one year from the passing of this Act* no person shall be entitled either to describe himself or hold himself out as a public accountant or auditor or to act as a trustee in bankruptcy or under deed of arrangement unless such a person is a public accountant or auditor registered under this Act.

Prohibition of unauthorised persons acting as public accountants and auditors.

(2) Any person acting in contravention of this section shall for each offence be liable on summary conviction to a fine not exceeding *twenty pounds* or to be imprisoned for a period not exceeding two months.

17. Any person who seeks to have his name placed upon the register by any fraudulent misrepresentation whatsoever, whether oral or in writing, shall be guilty of a misdemeanour, and shall be liable to a fine not exceeding *twenty pounds* or to be imprisoned for a period not exceeding two months.

Penalties for fraudulent misrepresentation.

18. The register shall contain the following particulars of each member:—

Form of register.

(1) Name;

(2) Address;

(3) Qualification by virtue of which he is registered;

(4) Name of firm, if any, with whom he is associated and (in all registers subsequent to the first) date of admission to the register.

19. The register shall be kept in the custody of the registrar at his office in London, Dublin, or Edinburgh, as the case may be, and shall be at all reasonable times open to the inspection of any person on the register without fee or reward, and to any other person upon payment of *one shilling*.

Custody and inspection of register.

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First meeting of
Boards.

20. Within one month after the passing of this Act the President of the Board of Trade, the Chief Secretary for Ireland, and the Secretary for Scotland shall cause to be appointed a registrar pro tem. for the respective countries of England, Wales, Ireland, Scotland, and the said registrar shall at once summon the bodies whose names appear in the schedule to this Act to elect the members which they are entitled to elect under this Act, and shall summon the same, together with the appointed members, to a meeting of the Board to be called not later than three months from the passing of this Act, and at such first meeting a chairman of the Board and a permanent registrar shall be appointed.

Admission of
women.

21. Women shall be admitted to the register upon the same terms as men, and be entitled to be elected or appointed members of the Board.

Regulations
and byelaws.

22. Each of the said Boards shall, as soon as may be after being established, frame regulations and byelaws for the compilation and publication of the register, for the collection of fees, and for any other purposes incidental to their duties and powers under this Act.

Interpreta-
tion.

23. In this Act, unless the context otherwise requires, the expression "the Board" includes "the English Board," "the Irish Board," and "the Scottish Board," and means such one of those Boards as the case may require :

The expression "the register" includes the respective registers compiled and published by the English Board, the Irish Board, and the Scottish Board, and means such one of those registers as the case may require. The expression "the registrar" includes the English registrar, the Irish registrar, and the Scottish registrar, and means such one of those registrars as the case may require.

SCHEDULE.

A.D. 1912.

(A) ENGLAND AND WALES.

1. The Institute of Chartered Accountants in England and Wales, 1880.
- 3 2. The Incorporated Society of Accountants and Auditors, 1885.
3. The Institution of Certified Public Accountants, 1903.
4. The London Association of Accountants, Limited, June 1905.
- 5 The Central Association of Accountants, Limited, June 1905.

(B) IRELAND.

- 10 1. The Institute of Chartered Accountants in Ireland.

(C) SCOTLAND.

1. The Society of Accountants in Edinburgh (chartered 1854).
2. The Institute of Accountants and Actuaries in Glasgow (chartered 1855).
- 15 3. The Society of Accountants in Aberdeen (chartered 1867).
4. The Corporation of Accountants, Limited, 1891.

Public Accountants
and Auditors.

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B I L L

To provide for the Registration of
Accountants and Auditors in Great
Britain and Ireland and for other
purposes connected therewith.

*Presented by Mr. Harold Smith,
supported by
Mr. Alice Baker, Mr. Marshall Hall,
Mr. J. James-Hackett, and Mr. F. R. South.*

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